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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,091	07/05/2001	Kornelis A. Schouhamer Immink	PHN 14, 746R	3533

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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[REDACTED] EXAMINER

JEAN PIERRE, PEGUY

ART UNIT	PAPER NUMBER
	2819

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/899,091	SCHOUHAMER IMMINK
	<b>Examiner</b>	<b>Art Unit</b>
	Peguy JeanPierre	2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 July 2001.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-3, 6, 7 and 9-112 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-3, 6, 7 and 9-112 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on 05 July 2001 is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 .	6) <input type="checkbox"/> Other: _____

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-7, and 9-116 are rejected under 35 U.S.C. 102(b) as being anticipated by Baldwin (USP 4,851,837).

Baldwin discloses in Figure 6 a record carrier having signal recorded on a track that comprises a sequence of successive information signal portions. Each signal portion comprises n-bit cells having a first logical value "0" or a second logical value "1" that is distinct from each other and alternately recorded based on the track information pattern. The signal portion further represents a unique information word. The information word is spread over one group of a first type represented by codebook "A" and a group of a second type represented by codebook "B" (see Fig. 3). For instance, in the first type transitions are barred in a number of cells in the word being coded and also in the subsequent word whereas in the second type transitions are permitted in the same number of cells previously recited in the first type (see col. 3, lines 1-3 and col. 4, lines 14-15). The information word also comprises signal sync signal portions that have bit cells that do not occur in the sequence of successive information (see col. 5, lines 27-29); for instance, for synchronization purpose a transition at a particular bit cell (14) never precedes any word in code book B (group of second type): in other words, a

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Unique information word is established by information signal portions of at least one group of the second type and combined with an adjacent signal portion. Codebooks A and B generate a plurality of constraints provide a plurality of d, k constraints. In the codebooks in Figures 1-3, a ":" indicates a transition is permissible, a "o" indicates that a transition is not permitted, therefore, any constraint such as d=2 and k=10 or any values of d and k can be satisfied (see col. 3, lines 1-5) and the end of each bit cells can assume the same or different values. The running value at any point in the signal is kept low (see col. 6, lines 33-45).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (703) 308-1968 and fax number is (703) 746-4034. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956. The Group fax number is (703) 308-7722.

*Peguy JeanPierre*  
PEGUY JEANPIERRE  
PRIMARY EXAMINER  
June 29, 2003